

NOTICE OF THE
LEGISLATIVE POLICY COMMITTEE MEETING
OF THE
ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Prosecuting Attorneys' Advisory Council and to the general public that its Legislative Policy Committee will hold a meeting open to the public on **Thursday, November 17, 2016, at 3:30 p.m.** in the APAAC office located at 1951 W. Camelback Road, Suite 202, in Phoenix, Arizona.

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Prosecuting Attorneys' Advisory Council endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need an accommodation for a meeting, please contact Elizabeth Iniguez-Reyna at (602) 542-7222 at least 24 hours prior to the meeting so that an accommodation can be arranged.

Legislative Policy Committee members:

Jon Smith, Chair
Brad Beauchamp
David Byers
Brad Carlyon
Vicki Hill
Barbara LaWall
Bill Montgomery
Lando Voyles

The Agenda for this meeting is as follows:

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| I. | Call to Order | Jon Smith |
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| II. | Roll Call | Jon Smith |

**III. Tabled Items
(Attachments)**

Emily Jurmu
Discussion/
Possible Action

A. From Jessica Breedlove, Assistant Phoenix City Prosecutor:

1. New drugs that need to be added to 13-3401.

B. From Kathleen Mayer, Deputy Pima County Attorney:

1. State v. Holle.
2. A proposal to eliminate the prohibition on persons convicted of drug offenses from receiving food stamps and TANF benefits.

**C. From Aaron Nash, Special Counsel and Public Information Officer,
Clerk of Superior Court in Maricopa County:**

1. 2017 Legislation on ARS 13-810.
2. ARS 31-412: Fees and Restitution Reporting.

**IV. Items for Discussion
(Attachments)**

Emily Jurmu
Discussion/
Possible Action

**A. From Judge Ron Reinstein Superior Court of Arizona (Retired),
Judicial Consultant, Arizona Supreme Court:**

1. Division One Opinions in Gutierrez and Denson; Possession of Burglary Tools; Misconduct Involving Weapons: Double Jeopardy; Severance

**B. From Kathleen Mayer, Pima County Attorney's Office, Legislative
Liaison:**

1. "Enhanced Sentences under APS 13-1402 and 13-1403".

**C. From Rebecca Baker, Maricopa County Attorney's Office,
Legislative Liaison:**

1. 21- 401, "Alternate Grand Jurors".

D. From Jon Smith, Yuma County Attorney's Office, County Attorney:

1. 2017 County Legislative Proposals for Consideration

**E. From Jerry Landau, Arizona Supreme Court, Government Affairs
Director:**

1. Proposed Change to Arizona Traffic Ticket and Complaint

F. From Emily Jurmu, APAAC, Legislative Liaison:

1. AOC Fair Justice Initiative Regarding Driving Violations

G. From Tobin Slides, Oro Valley Town Prosecutors Office, Oro Valley County Prosecutor:

1. Pension Case

V. Call to the Public

Jon Smith

At this time, any member of the public is allowed to address the Legislative Policy Committee on any issue, whether or not on the Agenda. Pursuant to Arizona Open Meeting Law, at the conclusion of the Call to the Public, individual members of the Legislative Policy Committee may respond to criticism made by those who have addressed the Committee; may ask staff to review the matter; or may ask that the matter be placed on a future agenda. However, members of the Legislative Policy Committee shall not discuss or take legal action on matters raised during an open call to the public unless the matters appear on this Agenda and are otherwise properly noticed for discussion and legal action. On items specified for a vote on this Agenda, members of the public may comment after the Legislative Policy Committee discussion and prior to any vote on the matter.

VI. Next LPC Meeting

Jon Smith

Possible Action

To be announced.

VII. Adjournment

Jon Smith

APAAC MISSION:

Empowering Arizona's prosecutors to administer justice and contribute to public safety through training and advocacy.

CORE VALUES:

Through its constitution, Arizonans prioritized the goals for elected prosecutors: achieving justice, serving victims and balancing the needs of the community. To ensure the independence to reach those goals, prosecutorial discretion must be honored in all legislative and budgetary considerations. As the standard bearers for administering justice and preserving public safety, prosecutors are a most trustworthy resource for making legislative improvements to the criminal justice system.

POLICY STATEMENT:

APAAC, as Arizona's prosecutor coordinator, recognizes that often criminal behaviors arise as the result of substance abuse and behavioral health challenges. We acknowledge that early interventions along with appropriate prevention and treatment measures and educational programs can and do reduce the burden on the criminal justice system. In those cases that result in a chargeable crime by a drug-involved individual APAAC supports intervention options directed to changing those behaviors, such as residential treatment, therapeutic community treatment, wrap-around services and court supervised drug monitoring.

It is crucial that prevention and treatment capacity, whether community or government based, is at a level appropriate to enable implementation of prison alternatives and available in both the urban and rural areas. Assessing and identifying offenders that can substantially benefit and have the capability to turn away from crime will positively impact the community and reduce incarceration. Where appropriate victims should be involved in the process.